

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Applicants:

M. Angelopoulos et al.

Serial No.: 09/727,615

Filed: December 1, 2000

For: POLYCRYSTALLINE CONDUCTING POLYMERS AND PRECURSORS  
THEREOF HAVING ADJUSTABLE MORPHOLOGY AND PROPERTIES

Date: February 9, 2006

Group Art Unit: 1751

Examiner: M. T. Kopec

Docket No.: YOR919960050US3

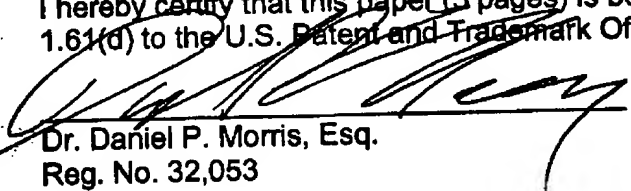
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Commissioner for Patents  
P.O. Box 1450  
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## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (3 pages) is being facsimile transmitted under Rule 37 CFR 1.61(d) to the U.S. Patent and Trademark Office to (571)273-8300 on February 9, 2006.



Dr. Daniel P. Morris, Esq.  
Reg. No. 32,053

## PETITION TO WITHDRAW THE NOTICE OF ABANDONMENT DATED 12/5/05

Sir,

The referenced Notice of Abandonment states that the referenced application was abandoned for applicant failure to respond to the Office Action dated 05/20/2005. The Office Action dated 05/20/2005 does not state proper grounds for rejection. The Office Action dated, 05/20/05 rejects claims 1-24 under 35 USC 102 (e) as anticipated by US Patent 5,804,100. Applicants amended the inventorship of the present application so that the present application is identical to that of US Patent 5,804,100. Thus, US Patent 5,804,100 cannot be a 35 USC 102(e) reference.

In the Office Action dated 05/20/2005 the Examiner states at the bottom of page 2, "The Declaration filed 4/6/04 (Bruce Kenneth Furman) does not contain all named inventors. See 37 C.F.R. §1.48 (a)(3) and 37 C.F.R. §1.65." The declaration filed 4/6/04

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adds a declaration of the added inventor Bruce Kenneth Furman. The assignee consented to the addition in the papers submitted on January 26, 2005.

The sections of 37 CFR cited by cited by the Examiner do not require that all inventors sign the same declaration paper. Thus the declaration signed by added inventor Furman is sufficient. Each inventor can sign a separate declaration paper. Thus the Examiners grounds for finding that claims 1-24 of the present application are anticipated under 35 USC 102(e) over US 5,804,100 are in error and the present application should be allowed over the rejection of Office Action dated 5/20/2005.

In view of the changes to the claims and the remarks herein, the Examiner is respectfully requested to reconsider the above-identified application. If the Examiner wishes to discuss the application further, or if additional information would be required, the undersigned will cooperate fully to assist in the prosecution of this application.

Please charge any fee necessary to enter this paper and any previous paper to deposit account 09-0468.

In the event that this amendment does not result in allowance of all such claims, the undersigned attorney respectfully requests a telephone interview at the Examiner's earliest convenience.

MPEP 713.01 states in part as follows:

Where the response to a first complete action includes a request for an interview or a telephone consultation to be initiated by the examiner, ... the examiner, as soon as he or she has considered the effect of the response, should grant such request if it appears that the interview or consultation would result in expediting the case to a final action.

Respectfully submitted,

By. 

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